

1899-018 Chancery Causes: H. P. King & Co] vs S. P. Bishop &
Lee Co.

King, Hughes

CA-Debt
T-Property

-Deed

To the Honorable W.T. Miller, Judge of the Circuit Court for
Lee County, Virginia:

Humbly complaining, your orators, H.P. King and J.P. Hughes,
merchants and partners in trade, doing business under the style
and firm-name of H.P. King & Co., represent unto your Honor;

That, at the June term of the said Court, on the law side
thereof, they obtained a judgment against S.P. Bishop and Jemima
Bishop for the sum of one hundred and ninety-four dollars and
thirty-nine cents (\$194.39), with legal interest thereon from the
first day of January, 1897, until payment and eight dollars and
seventy-six cents (\$8.76) costs; as will fully and at large ap-
pear from an inspection of a copy of said judgment which is hereto
attached and asked to be treated as a part hereof, marked "Exhibit
No. 1."; that said judgment has been duly docketed in the office of
the Clerk of the County Court for said County, in Judgment Lien
Docket No. 3. page 183, as will fully appear by reference to a trans-
cript therefrom, herewith filed as a part hereof, marked "Exhibit
No. 2"; that an execution was issued on said judgment from the
office of the Clerk of the Circuit Court of said County against
the said S.P. and Jemima Bishop as will fully appear by reference to
a copy thereof herewith filed as a part hereof marked "exhibit No.
3"; that the sheriff, or his deputy has already collected on the
said execution the sum of \$ exclusive of his commissions, and
has some property levied on which, if sold, will pay something on
the same, but will not satisfy the same.

Your orators are advised that their judgment is a lien upon
any real estate owned by the said Bishops situate in said County.

The said S.P. Bishop does not, so far as your orators are in-
formed own any real estate, but your orators allege that the said
Jemima Bishop is the owner of an interest in a very valuable tract

of land situated in Turkey Cove, Lee County, Virginia. Said tract of land was conveyed to the said Jemima Bishop and David Kelly jointly by John M. Johnson and wife by deed which is recorded in the Office of the Clerk of the County Court for said County in deed book 30 pages 177 &c. Your orators have been informed that the said Jemima Bishop and David Kelly have partitioned the said lands between themselves, but this fact is not shown by the records so far as your orators can ascertain. The whole of said tract or tracts is fully described in the deed aforesaid, a copy of which is hereto attached as a part hereof named "Exhibit No.4", to which reference is here made for a particular description.

Your orators are informed that there are divers and various other liens against the said lands besides that of your orators.

Your orators allege that the said lands will not rent for enough in five years renting to pay all the liens against it.

The object of this bill is to enforce the lien of their judgment aforesaid against the interest in of the said Jemima Bishop in the land described in said "Exhibit No.4" and to have the same sold to satisfy said judgment; and being without remedy at law they pray your honor to take cognizance of their cause and grant them the proper.

Your orators, therefore, pray that the said S.P. Bishop and Jemima Bishop be made parties defendant to this bill; that subpoena issue against them; that a commissioner be appointed to ascertain the liens against the said lands and the rental value thereof; that the said defendants be required to answer the said bill, but they need not do so under oath as that is waived; that the said Jemima especially answer whether or not the said lands described in the said "Exhibit No.4" have been partitioned between her and the said David Kelly, and, if so, how; and that upon a hearing the

court order a sale of the interest of the said Jemima to satisfy
the said Judgment and for full general relief.

L. S. Hyatt, P.O.

Virginia,

At a Circuit Court continued and held for Lee county, at the court-house thereof on Thursday, June 16th, 1898.

Office judgments which became final on the last day of the June Term 1898.

H.P.King and J.P.Hughes, merchants and partners

In trade, doing business under the style and
firm name of H.P.King & Co..... Plaintiffs.

vs In Debt.

S.P.Bishop and Jemima Bishop Defendants.

The defendants not appearing after being duly summoned: It is considered by the court that the Judgment obtained in the Clerk's Office in favor of the plaintiffs against the defendants for the sum of (\$194.39) one hundred and ninety-four dollars and thirty-nine cents the amount of the debt in the declaration mentioned waiving homestead exemptions and legal interest thereon from the first day of January, 1897, until paid, and the costs be made final.

Costs: Clerk, 3.81; Tax, 1.00; Sheriff, 1.00; Atty. 2.50; Co. Clerk, .25, Total, \$8.56.

Virginia, Lee County, to wit:

I, A.B.Munsey, Clerk of the Circuit Court for said County, do certify that the foregoing is a true transcript from the records in my office, C.O.O.B.No.5.page 1. Given under my hand this the day of October, 1898.

A.B.Munsey, Clerk.

H. P. King & Co
Atty Copy of Judgment
S. P. & Jemima Bishop

Clerk for copy & certificate
150

Whereas by an agreement made and entered into by and between John M. Johnson and J. J. Kelly, Sr. on the 1st day of May 1889 by which the said John M. Johnson sold to the said J. J. Kelly, Sr. the hereinafter described tracts or parcels of land situated in Lee County, Va. for the sum of fifteen thousand dollars and

Whereas by an endorsement on said agreement made and signed by the said J. J. Kelly, Sr. on the 30th day of June 1890, he assigned the same to Jemima Bishop and David Kelly

Therefore this deed made and entered into this the 27th day of March 1894 by and between John M. Johnson and M. T. Johnson his wife of Scott County Virginia parties of the first part and Jemima Bishop and David Kelly of Lee County Virginia parties of the second part Witnesseth that for and in consideration of the sum of fifteen thousand dollars the payment of all which is hereby acknowledged except the sum of ten thousand dollars with interest thereon from the 1st day of December 1893 till paid for which sum and interest the parties of the first part expressly retain the vendors lien on the said lands hereinafter described, the said parties of the first part have granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said parties of the second part, with covenants of general warranty, the following described tracts or parcels of land lying and being in Lee county, Va. and in Yokum Station magisterial district and bounded as follows, to wit: One tract which lies on both sides of of the Jonesville and Little Stone Gap road adjoining the lands formerly owned by J. B. Richmond and others, it being a part of the home tract of land owned by the late General Jonathan Richmond at the time of his death and being the west end of said farm. Beginning at a stake about three feet west of a sugar tree on the South bank of said road thence with the fence, Reason's line, South twenty-two and one-quarter degrees East sixty-one and one-quarter poles

N 83 1/2 E 3 poles, S 34 1/2 E 12 poles, North sixty-nine and one-quarter degrees East one and three-quarter poles to a sugar tree
S 31 1/2 E 118 poles S 63 E 4 poles S 32 E 106 poles to a stake
nine links west of a chestnut oak on the top of Wallens ridge,
thence with the top of said ridge N. 78 E. twenty-one and one-quarter poles, North forty-three and one-quarter degrees East 25 poles,
N. 63 E. 60 poles to a rock and a small chestnut oak marked as a
pointer, thence with the top of said ridge and with a fence N. 31
1/2 W. 295 poles to a stake on the south edge of said road, thence
continuing the same course N. 31 1/2 W. 3 poles crossing said road
to a stake, thence North four and three-quarter degrees East 12 ~~xxx~~
poles N. 31 W. 14 poles to a stake in a lane N. 59 1/2 E. 11 poles,
North 4 1/2 poles to a poplar N. 4 E. twenty-nine and one-quarter
poles, North thirty-five and one-quarter ~~xxxx~~ degrees West thirty
four and three-quarter poles, N. 37 1/2 W. 24 1/2 poles, N. 66 1/2 W.
six and three-quarter poles, N. 30 W. 5 1/2 poles, S. 81 W. 6 poles,
North fifty-six and three-quarter degrees West 13 1/2 poles to the
top of a ridge and a road, thence with said road N. 13 1/2 E. 9 poles
N. 50 1/2 E. 7 poles N. 68 E. thirteen and one-quarter poles, N. 40 E.
6 poles N. 10 1/2 E. seven and three-quarter poles, N. 41 1/2 E. nine
and one-quarter poles, N. 74 1/2 E. 13 poles, N. 37 E. 15 1/2 poles
to a stake corner to the lands formerly owned by the said James B.
Richmond, thence leaving said road S. 63 W. 148 poles to a rock N.

35 W 61 1/2 poles to a water oak and white oak marked as line trees
555-40 10 ft to a stake S 33 1/2 E 160 poles to a stake
S. 61 W. 29 1/2 poles to a beach S. 22 E. sixty-four and one-quarter
poles to the beginning, containing three hundred and ten acres be
the same more or less. One other tract or parcel of land lying
at the base of Stockers Knob and known as a part of the Scott place
it being the interest of Nancy Ely, wife of the late A. J. Ely. Said
interest was inherited from the estate of John Scaggs deceased and

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conveyed by D.S.Reasor to John M.Johnson by deed bearing date on the 9th January 1890 and bounded as follows, to wit: Beginning at a corner with W.A.J.Reasor on the old Jonathan Richmond line thence north west with same to the old Daniel Reasor line and with same north-east to a corner of the land sold to the said John M. Johnson by M.D.Richmond, thence south-east with line thereof to another corner on the old Jonathan Richmond line and with same south-west to the beginning, containing seventeen and three-quarter acres be the same more or less and for a more particular description of which reference is hereby made to the report of the commissioners who made partition of the said Scott farm among the heirs of John Scaggs, deceased, of record in the County Court Clerk's Office of Lee County Va. One other tract or parcel of land lying on Stocker' Knob in Lee County Va. it being a one undivided three-fourths part of five ninths of a tract of land patented in the name of Jonathan Richmond, the whole of which tract is said to contain two hundred and twenty-two acres be the same more or less and is bounded as follows, to wit: Beginning at a chestnut oak, gum and dogwood corner to Reasor's land N.29 E.60 poles with said Reasor's to a stake corner to the lands formerly owned by S.S.Slemp and with a line of the same N.63 W. 160 poles to a white oak and black oak by a spring corner to the lands of said Slemp and Wm.Ward, thence leaving said line S.60 W. 250 poles to a stake S.30 E. 50 poles to a stake on William Hobbs' line and with the same N.87 1/2 E. 260 poles to a stake on John M.Crabtree's line and with the same N.55 E. 60 poles to the beginning. To have and to hold the first two hereinafter described tract or parcel of land and the one undivided three fourth interest in and to a 5/9 part of the third and last hereinbefore described tract or parcel of x land unto the said Jemima Bishop and David Kelly, their heirs and assigns forever. And the said parties of the first part covenant to and with the said parties of

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the second part that they are lawfully seized of said tracts of land, that they have the right to convey the same and that said lands are free from all encumbrances. Witness the following signatures and seals the day and year first herein written.

John M. Johnson (Seal.)

M.T. Johnson (Seal.)

Virginia, Scott County, to wit:

I, R.R. Kane, a Notary Public in and for the County and State aforesaid, do certify that John M. Johnson and M.T. Johnson, his wife, whose names are signed to the writing above bearing date on the 27th day of March 1894, have acknowledged the same before me in my county aforesaid. Given under my hand this the 27th day of March, 1894.

R.R. Kane, N.P.

Virginia, Lee County, to wit:

In the Office of the Clerk of the said County the 8th day of May, 1894, this deed was presented and together with the certificate thereto annexed admitted to record.

Teste: S.V.F. Richmond, Clerk.

Virginia, Lee County, to wit:

I, S.V.F. Richmond, Clerk of the County Court for said County, do certify that the foregoing is a true transcript of a deed from John M. Johnson et ux to Jemima Bishop et al. as the same appears of record in my office in Deed Book No. 30, pages 177, 178, 179 and 180. Given under my hand this October 3 1898.

S.V.F. Richmond, Clerk.

Clerk #120-
11

H. P. King & Co.

vs $\frac{3}{2}$ Lu bhy.

D. P. Bishop et al.

Bill and "exhibits
No 1 & 4."

L. J. Hyatt, p. g.

1898 1st Oct rules Spa 24 D
+ D. N.

" 2 Oct rules D. N. Co. D
+ Cause set for hearing

13.58
8.56
22.11

H.P.King and J.P.Hughes, merchants and partners in
trade, doing business under the firm name and
style of H.P.Kink & Co., ... Plaintiffs.

vs. (In Chancery.

S.P.Bishop and Jemima Bishop, ... Defendants.

This cause came on this day to be heard upon the papers
formerly read herein, the report of renting made by L.T.Hyatt, Spe-
cial Commissioner, filed May 18th 1899, and was argued by counsel.
On consideration thereof, it is adjudged that the said report be
confirmed, there being no exceptions thereto; that the said L.T.
Hyatt, Special Commissioner, disburse the thirty-four dollars and e
seventy-three cents costs in his hands, taking proper receipts
therefor; that the said commissioner proceed to collect said two
bonds from the said Sophie Kelly and James F.Kelly, her security,
as they severally fall due, and disburse the same when collected,
to the parties entitled as per the recoveries in this case by a fo
mer decree herein; that the said commissioner report his action to
court when deemed necessary; and that this cause be continued.

for the sum of one hundred and forty-seven dollars and
seventy-three cents each,

H. P. King & Co

25 3 Du bely

Fernina Bishop

Decree confirming
Report of Pentney

Entered in Chancery
Order Book No 6
Page 299.

Enter this decree

Howe Street
Nov 11th 1899

H.P.King and J.P.Hughes, merchants and partners in
trade, doing business under the firm name and
style of H.P.King & Co., ...Plaintiffs.
vs. (In Chancery.

S.P.Bishop and Jemima Bishop, ...Defendants.

This cause came on to is, the 9th day of March, 1899, to be heard upon the papers formerly read herein, the report of A.M.Goins Special Commissioner, filed herein on the 23rd day of February, 1899, exceptions numbered 1 and 2 endorsed on said report, and was argued by counsel. On consideration whereof, the said report having been filed more than ten days before the first day of this term of the court, it is adjudged ordered and decreed that exception number 1 be passed; that exception numbered 2, ^{to said report} be sustained; that said report in all other respects be confirmed and approved; that J.W.Orr recover from said defendants the sum of seventy dollars and eighty cents (\$70.80) with interest on fifty three dollars and fifty cents (\$53.50), part thereof, from the 6th day of March, 1899, until payment; that the said J.W.Orr also recover from the said defendants the sum of sixteen dollars and twenty-three cents (\$16.23), with interest on twelve dollars and fifty cents (12.50), part thereof, from the 6th day of March, 1899, until payment; that G.W.Blankenship recover from the said defendants the sum of sixteen dollars and twenty-three cents (\$16.23), with interest on twelve dollars and fifty cents (\$12.50), part thereof, from the 6th day of March, 1899, until payment; that the plaintiffs recover from the said defendants the sum of one hundred and ninety-four dollars and thirty-nine cents (\$194.39), with interest thereon from the 1st day of January, 1897, until payment and the costs of this suit, subject to a credit of thirteen dollars and fifty-five cents (\$13.55) as of the 19th day of September, 1898, and of

sixteen dollars and fifty-seven cents (\$16.57) as of the 5th day of November, 1898; that the priorities of said liens against the estate of the defendant, Jemima Bishop, are as follows: First, the costs of this suit; Second, the ~~a~~ first above recovery in favor of James W. Orr; Third, the second above recovery in favor of J. W. Orr and the above recovery in favor of C. Blankenship, they being equal in point of priority; and, Fourth, the recovery in favor ~~xx~~ of the plaintiffs other than the costs of this suit;

And it is further adjudged, ordered and decreed that unless the recoveries hereinbefore had be paid within thirty days from the date of this decree, then L. T. Hyatt, who is hereby appointed a Special Commissioner for the purpose, will, after having executed before the clerk of this court a bond in the penalty of five hundred dollars (\$500.00), conditioned to faithfully perform his duties hereunder and to account for all sums of money received by him as such commissioner, and after having advertised the time, terms and place thereof for at least thirty days prior thereto by posting written or printed notices thereof at three or more public places in this county, one of which shall be at the front door of the court-house and another at Brick Store, proceed at the front door of the court-house of said county, on some court day, to offer said lands of said defendant, Jemima Bishop, mentioned in said bill for rent for the shortest period of time ~~xxxxxxx~~ not exceeding five years in which the same will pay the recoveries herein had upon the following terms, to wit: cash in hand sufficient to pay the costs of this suit and commissions of sale, and the residue to be divided into equal installments, one for each years rent, and said commissioner will take bonds ~~xxxx~~ from the lessee for the deferred payments, bearing interest from the day of renting, payable to himself as commissioner, requiring good security on same.

Said commissioner will report his action hereunder to a future term of this court.

And the cause is continued.

And this cause

H.P. King & Co.
vs $\frac{1}{2}$ Lu Chy.
S.P. Bishop et al.

Decree for renting.

Eu. C.O.B. No. 6. p. 259
+ 260.

Enter this decree

W J M
Mch 9th 1899

H.P.King and J.P.Hughes, merchants and partners in
trade, doing business under the firm name and
style of H.P.King & Co.....Plaintiffs.
vs. (In Chancery.

S.P.Bishop and Jemima Bishop, ...Defendants.

This cause came on this day to be heard upon the bill of complainants and exhibits numbered 1,2,3 and 4 therewith, process duly executed on the defendants, and the cause regularly matured at rules and set for hearing by the complainants, and was argued by counsel for the complainants. On consideration whereof, and it appearing that said defendants have each been duly served with process in this cause, but have each failed to appear, plead, answer or demur to said bill, it is adjudged, ordered and decreed that the same be taken for confessed against them; ~~it~~ the court deeming it necessary, that A.M.Goins, who is hereby appointed a special commissioner for the purpose, do ascertain and report to the next term of this court (1) the liens against the real estate of the said defendants and (2) the rental value of said real estate, and in ascertaining said liens that said commissioner show amounts, to whom due, and priorities; that said commissioner report any other fact deemed pertinent by himself or required by any party in interest; and that this cause be continued.

H.P. King Heo -
vs. $\frac{3}{2}$ In Chy -
S.P. & Gemina Bishop

Decree appointing
Commr. to ascertain
report liens & mar-
tal value of land -

Eu. Co. B. 6 p. 178.

Enter this decree
M. 7M
Nov. 11th 1898.

Virginia

At a Circuit Court Continued and held
for Lee County at the Court-house thereof
on Friday, the 11th day of November, 1898.

H. P. King and J. P. Hughes Merchants
and partners in Trade under the firm
Name of H. P. King & Co. Plaintiffs

VS

S. P. Bishop & Jennima Bishop Defendants

In Chancery

This Cause came on this day to be heard
upon the bill of the Complainant and exhibits
numbered 1, 2, 3 and 4, therewith, process duly
executed on the defendants, the Cause regularly
matured at rules, and set for hearing by the
Complainants, and argument of Counsel of
Complainants. On Consideration whereof, and
it appearing that each of said defendants have
^{been} duly served with process in this Cause but
have failed to appear, plead, answer or de-
mur to said bill it is adjudged, Ordered and
decreed the Same be taken for confessed
against them; The Court deeming it necessary
by that A. M. Goins who is hereby appointed
a Special Commissioner for the purpose,
do ascertain and report to the next term
of this Court (1) the liens against the real
estate of the said defendants, showing amounts,

to whom due, and priorities (2) the rental
value of said real estate and (3) any other mat-
ter deemed pertinent by himself or required
by any party ⁱⁿ interest; And that the Cause be
Continued.

A Copy

Teste A.B. Munsey Clerk

A.P. King et al
vs } Copy of Decree
S.P. Bishop et al

Copies for
A.M. Gons

C 575
Executed at Dec'r
5th 1898, by delivering
a copy hereof to A.M.
Gons.

W.B. Weston, S.C.

By Jas. M. Weston, D.S.

COMMISSIONER'S REPORT.

H.P.King & Co.)
vs.) IN CHANCERY.
S.P.& Jamina Bishop,)

To the Hon. W.T.Miller, Judge of the Circuit Court for Lee County, Virginia:-

Your undersigned Special Commissioner, appointed by a decree entered in the above styled cause at the November term, 1898, of your honor's court, begs leave to report, that, after giving the parties in interest ten days notice, he, on the 25th day of January, 1899, and on subsequent days thereafter, proceeded to ascertain the facts and to report upon the enquiries referred to him by the aforesaid decree.

Your Commissioner is directed: 1st, To ascertain the liens against the real estate of the said defendants, the amounts thereof, to whom due, and their priorities. In response to this enquiry your commissioner files herewith, as part hereof, statement "A", which is a full and complete statement of the existing liens against the real estate of the defendants, the names of the parties to whom due, and the amount and priority of each lien. This statement shows a total lien indebtedness, due as of March 6th, 1899, of \$331.63. Said liens are in the order of priority as represented by the numerical value of the figures in the margin.

Your Commissioner is directed: 2nd, To ascertain the rental value of the real estate owned by the defendants, or either of them. In response to this enquiry your Commissioner ascertains that the said S.P.Bishop owns no real estate in his own right. The said Jamina Bishop is the owner of a valuable real estate situated in Turkey Cove, Lee county, Virginia, and the same will rent, in five years, for a sum sufficient to far more than satisfy the liens here listed, together with the costs of this suit. Your Commissioner ascertains that there are several judgments on record against S.P.Bishop, individually, but as he owns no real estate in his own right your Commissioner does not deem it proper to incumber this report with said judgments.

Respectfully submitted, this Feb. 20th, 1899.

A. M. Goins,
Special Comr.

LIST OF LIENS.

S.P. & JAMIMA BISHOP

In Acct. with

Their Lien Creditors.

1. To judgment rendered at the June term, 1896, of the Circuit Court, in favor of J.W.Orr vs. S.P. & Jamima Bishop for	\$ 53.50	
" Int. on same from Jan.5,'96, to Mar. 6,'99,	9.64	
" Cost of suit at law, ...	7.66	\$ 70.80
2. To judgment rendered Jan.26,'97, by J.P., in favor of J.W.Orr vs. S.P. & Jamima Bishop for	\$ 12.50	
" Int on same from July 9,'96, to Mar.6,'99,	1.98	
" Cost before J.P., ...	1.75	\$ 16.23
2. To judgment rendered Jan.26,'97, by J.P., in favor of G.W.Blankenship vs.S.P. & Jamima Bishop for	\$ 12.50	
" Int.on same from July 9,'96, to Mar.6,'99,	1.98	
" Cost before J.P., ...	1.75	\$ 16.23
3. To judgment rendered at the June term, 1898, by the Circuit Court, in favor of H.P. King & Co. vs. S.P. & Jamima Bishop for . .	\$194.36	
" Int on same from Jan.1,'97, to Mar.6,'99, .	25.42	
" Cost of suit at law, ...	8.56	\$228.37
TO TOTAL LIEN INDEBTEDNESS, as of Mar. 6,1899,		\$381.63

Fee for this Report \$ 5.25 -

Fee charged to H.P. King & Co.

I, A. M. GOINS, Special Commissioner in the above styled cause, do hereby make oath that I was diligently employed not less than 7 hours, in performing the services for which the fee, above stated, is charged, and do so certify, this 23rd day of Feb., 1899.

A. M. Goins

Special Commissioner.

The within report is excepted to:

(1) Because the judgment reported as the first lien has been paid to the said Jos. W. War by W. S. Coldiron, Sgt for Jennie Bishop; and

(2) Because the plffs.' judgment is subject to the following credits: \$13.55, Sept 19 1898. and \$16.57, Nov. 5 1898, and ~~the~~ ~~but~~ also of the law costs was paid Sept 19/1898

H. P. King cler.

By L. I. Hyatt Atty

8.56
13.53-
16.57

38.68

23.37
18.60

41.97
38.68

3.29

H. P. King & Co.

vs. { In Chy.

S. P. Bishop et al.

Comr's Report.

Total Liens \$ 331.63.

Filed Feb. 23, 1899,

A. B. Munsey
clerk

J

Comr's Fee, \$ 5-25-.

To the Honorable H.A.W.Skeen, Judge of the Circuit Court for Lee County, Virginia:

The undersigned begs leave to reports as follows:

(1) That by a decree entered by the said court in the cause therein pending entitled "H.P.King & Co. vs.S.P.Bishop et als.", on the 9th day of March, 1899, he was appointed a Special Commissioner, and directed that unless the recoveries in said decree fully set out should be paid within thirty days from the date of the said decree, to rent the lands of the defendant, Jemima Bishop, mentioned in said bill, for the shortest period of time not exceeding five years, in which the same would rent for a sum sufficient to pay the said recoveries, but after certain advertisement, and after having executed a bond &.

(2) That said recoveries were not paid within the thirty days

(3) That he ~~xxxx~~ executed before the clerk of this court the bond required by said decree;

(4) That he advertised the ~~xxxx~~ renting of said lands as required by said decree by posting written notices there of, one at the front door of the court-house of said county, one at Brickstore which is near the ~~xx~~ lands, and another in the immediate locality of the lands;

(5) That on the 15th day of May, 1899, at the front door of the court-house of said county, being the date mentioned in said notices as the day of sale and being also the first day of the county court of said county, he offered the said lands for rent by public outcry, to the highest bidder, when Mrs.Sophie Kelly by her agent bid therefore the sum of three hundred and forty-six dollars and 13 cents (\$346.13) for the rent of said lands for two years, and that being the best bid offered, the same was accepted;

(6) That the said Kelly thereupon paid to your commissioner

the sum of fifty dollars and thirty three cents (\$50.33) costs of suit and commissions of sale, and executed to your commissioner two bonds for the sum of one hundred and forty-seven dollars and ninety cents (\$147.90) each, payable in one and two years respectively, with James F. Kelly, security, which is deemed amply sufficient by your commissioner; and

(7) That, in the opinion of your commissioner, said renting should be confirmed.

All of which is respectfully submitted,

L. P. Hyatt, Spe. Comr.

H. P. King & Co..

vs 3 Lulchy

S. P. Bishop et al.

Report of Renting
by L. S. Hyatt, Comr.

Filed May 18 1899

N O T I C E .

RENTING OF LAND.

Pursuant to the requirements of a decree of the Circuit Court of Lee county, rendered on the 9th day of March, 1899, in the chancery cause therein pending entitled "H.P.King & Co. vs. S.P. Bishop et al." I will on the first day of the May term, 1899, of the County Court for Lee county, the 15th day of May, 1899, at the front door of the court-house of said county, at the noon recess of the said court, offer for rent the farm owned by Jemima Bishop situated in Turkey Cove being a part of the land conveyed to her and another by John M. Johnson, for a sum sufficient to satisfy the said decree, and the lessee will be required to pay enough cash in hand to pay the costs of said suit and commissions of renting. The residue will be on time, one equal installment for each year's rent. The lessee will be required to give good security for the deferred installments.

L. T. Hyatt, Spe. Comm.

The required bond has been executed.

A. B. Mursey Clerk.

EXTRACT FROM DECREE.

At a Circuit Court for the County of Lee, continued and held
on the 11th day of November, 1898, at the Court-house of said county:

H.P. King & Co., Pliffs.,)
vs.) IN CHANCERY.
S.P. & Janima Bishop, Defts.,)

"This cause came on this day &c." * * * * *

"The court deeming it necessary that A.M. Goins, who is hereby appointed a special commissioner for the purpose, do ascertain and report to the next term of this court: (1), The liens against the real estate of the said defendants, showing amounts, to whom due and priorities; (2), The rental value of said real estate; and (3), Any other matter deemed pertinent by himself or required by any party in interest." * * * * *

A Copy, Teste:-

A.B. Mursey,
Clerk.

COMMISSIONER'S NOTICE.

The parties interested in the decree from which the foregoing is an extract, will take notice that, on the 25th day of January, 1899, at my office, in the town of Jonesville, Va., I shall proceed to execute the same, when and where they are required to attend with such books, papers, vouchers, and evidence as will enable me to comply with the order of the court.

A. M. Goins,
Special Commissioner.

+++++

H. P. King & Co.,

vs { De Chy.

S. P. & Jamina Bishop.

Notice for Jan 25, 1899.

I accept legal service
of the within notice, this
Dec. 26th 1898.

L. T. Ryan for plffs.

#

Executed by delivery in
a copy hereof to each
of the within named
parties

This January 12, 1899,

H. P. Weston, S. J. C.

By Jas. M. Weston, D. S.

The Commonwealth of Virginia:

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, that you summon *S. P. Bishop and Gemma*
Bishop

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held
for the said Court on the *15th* Monday in *October*, 189*8*, to answer a bill in
chancery, exhibited against *them* in our said court by

H. P. King and J. P. Hughes Merchants and
partners in trade under the style and firm name
of H. P. King & Co

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,
the *23rd* day of *September* 189*8*, and in the *123rd* year of the Commonwealth.

A. B. Munsey Clerk

H. P. King & Co.

vs.

SUBPOENA

IN CHANCERY.

S. P. & Gemina Bishop

L. T. Hyatt

p. q.

To 1st October

Rules.

1898 Circuit

Court.

Executed on Sept 26th 1898,
 on the within named
 Gemina Bishop, by
 delivering a true copy
 hereof to her, and on
 within S. P. Bishop, he not
 being found at his usual
 place of abode, by deliver-
 ing a true copy hereof to
 Gemina Bishop, his wife,
 who is over 16 years of age.
 Who was found at the
 usual place of abode of
 said S. P. Bishop, and
 to whom I gave

Information as to the purport of said subpoena,
 W. O. Weston, S. L. C.,
 By Jas. M. Weston, D. S.,

H. P. King & Co.

vs. $\frac{1}{2}$ Lu Chy

S. P. Bishop et al.

L. I. Hyatt, p. g.

Plaintiff's Costs

Clerk	5.23
Tax	1.50
Shff	1.50
atty	15.00
Co Clerk	1.25
Cour	5.25
Estimated	5.00

~~(~~ \$34.73